

Senate File 2179 - Enrolled

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SENATE FILE 2179

AN ACT

MAKING SPECIFIED CHANGES RELATING TO PROFESSIONAL LICENSING
AND REGULATION UNDER THE PURVIEW OF THE BANKING DIVISION
OF THE DEPARTMENT OF COMMERCE.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. Section 103A.10, subsection 3, Code Supplement
2007, is amended to read as follows:

3. Provisions of the state building code relating to the
manufacture and installation of factory-built structures shall
apply throughout the state. A factory-built structure
approved by the commissioner shall be deemed to comply with
all building regulations applicable to its manufacture and
installation and shall be exempt from any other state or local
building regulations. Except with respect to manufactured
homes, as defined in section 103A.51, subsection 4, a
provision of this chapter relating to the manufacture or
installation of factory-built structures shall not alter or
supersede any provision of chapter 542B concerning the
practice of professional engineering or chapter 544A
concerning the practice of architecture.

Sec. 2. Section 542.4, subsection 5, Code 2007, is amended
to read as follows:

5. a. A member of the The board shall maintain the
confidentiality of information relating to the following:
a. Criminal history or prior misconduct of the applicant.
b. (1) Information relating to the The contents of the
examination.
c. (2) Information relating to the The examination
results other than final score except for information about
the results of the examination given to the person examined.
b. A member of the board who willfully communicates or
seeks to communicate such information in a manner which
violates confidentiality requirements, and any person who
willfully requests, obtains, or seeks to obtain such
information, is guilty of a simple misdemeanor.

Sec. 3. Section 542B.32, Code 2007, is amended to read as
follows:

542B.32 DISCLOSURE OF CONFIDENTIAL INFORMATION.
1. A member of the The board shall not disclose
information relating to the following:
1. Criminal history or prior misconduct of the applicant.
2. a. Information relating to the The contents of the
examination.
3. b. Information relating to the The examination results
other than final score except for information about the
results of an examination which is given to the person who
took the examination.

2. A member of the board who willfully communicates or
seeks to communicate such information, and any person who
willfully requests, obtains, or seeks to obtain such
information, is guilty of a simple misdemeanor.

Sec. 4. Section 543B.52, Code 2007, is amended to read as
follows:

543B.52 DISCLOSURE OF CONFIDENTIAL INFORMATION.
1. A member of the The commission shall not disclose
information relating to the following:
1. Criminal history or prior misconduct of the applicant.
2. a. Information relating to the The contents of the
examination.
3. b. Information relating to the The examination results
other than final score except for information about the
results of an examination which is given to the person who
took the examination.

2. A member of the commission who willfully communicates
or seeks to communicate such information, and any person who
willfully requests, obtains, or seeks to obtain such
information, is guilty of a simple misdemeanor.

Sec. 5. Section 543D.4, Code 2007, is amended by adding
the following new subsection:

3 4 NEW SUBSECTION. 10. The provisions of section 272C.2,
3 5 subsection 4, shall only apply to a certified real estate
3 6 appraiser or an associate real estate appraiser to the extent
3 7 consistent with the policies adopted by the appraisal
3 8 qualifications board of the appraisal foundation.
3 9 Sec. 6. Section 544A.8, unnumbered paragraph 4, Code 2007,
3 10 is amended to read as follows:
3 11 In lieu of examination, the board may grant registration by
3 12 reciprocity. A person applying to the board for registration
3 13 by reciprocity shall furnish satisfactory evidence that the
3 14 person ~~meets both of the following requirements:~~ holds
3 15 qualifications determined by the board to be substantially
3 16 equivalent to the requirements for initial registration in
3 17 accordance with section 546.10, subsection 8.
3 18 Sec. 7. Section 544A.8, subsections 1 and 2, Code 2007,
3 19 are amended by striking the subsections.
3 20 Sec. 8. Section 544A.9, Code 2007, is amended to read as
3 21 follows:
3 22 544A.9 REGISTRATION.
3 23 When the applicant has complied with the requirements as
3 24 set forth in section 544A.8, ~~to the satisfaction of at least~~
3 25 ~~four members of the board,~~ and has paid the fees prescribed by
3 26 the board, the ~~secretary executive officer~~ shall enroll the
3 27 applicant's name and address in the roster of registered
3 28 architects and issue to the applicant a certificate of
3 29 registration, signed by the officers of the board, which
3 30 certificate shall entitle the applicant to practice as an
3 31 architect in the state of Iowa.
3 32 Sec. 9. Section 544A.13, unnumbered paragraph 3, Code
3 33 2007, is amended to read as follows:
3 34 Proceedings for the revocation of a certificate shall be
3 35 initiated by filing written charges against the accused with
4 1 the board. ~~Upon the filing of charges the board may request~~
4 2 ~~the department of inspections and appeals to conduct an~~
4 3 ~~investigation into the charges. The department of inspections~~
4 4 ~~and appeals shall report its findings to the board, and a~~ A
4 5 time and place for the hearing of the charges shall be fixed
4 6 by the board if the board determines that a hearing is
4 7 warranted. If personal service or service through counsel
4 8 cannot be effected, service may be by publication. At the
4 9 hearing, the accused has the right to be represented by
4 10 counsel, to introduce evidence, and to examine and
4 11 cross-examine witnesses. The board may subpoena witnesses,
4 12 administer oaths to witnesses, and employ counsel. ~~The board~~
4 13 ~~shall make a written report of its findings, which shall be~~
4 14 ~~filed with the secretary of state, and which is conclusive.~~
4 15 Sec. 10. Section 544A.15, subsection 1, Code 2007, is
4 16 amended to read as follows:
4 17 1. It is unlawful for a person to engage in or to offer to
4 18 engage in the practice of architecture in this state or use in
4 19 connection with the person's name the title "architect",
4 20 "registered architect", or "architectural designer", or to
4 21 imply that the person provides or offers to provide
4 22 professional architectural services, or to otherwise assume,
4 23 use, or advertise any title, word, figure, sign, card,
4 24 advertisement, or other symbol or description tending to
4 25 convey the impression that the person is an architect or is
4 26 engaged in the practice of architecture unless the person is
4 27 qualified by registration as provided in this chapter.
4 28 However, the board may by rule authorize a person to offer to
4 29 perform architectural services in this state prior to
4 30 registration in this state if the person is registered in good
4 31 standing to practice architecture in at least one other state
4 32 or jurisdiction, the person holds a certificate from a
4 33 national certification council recognized by the board, the
4 34 person makes such disclosures as the board may require by
4 35 rule, and the person becomes duly registered in this state
5 1 prior to otherwise practicing architecture in this state as
5 2 defined in section 544A.16, subsection 8.
5 3 Sec. 11. Section 544A.27, Code 2007, is amended to read as
5 4 follows:
5 5 544A.27 DISCLOSURE OF CONFIDENTIAL INFORMATION.
5 6 1. ~~A member of the~~ The board shall not disclose
5 7 information relating to the following:
5 8 1. ~~Criminal history or prior misconduct of the applicant.~~
5 9 2. ~~a. Information relating to the~~ The contents of the
5 10 examination.
5 11 3. ~~b. Information relating to the~~ The examination results
5 12 other than final score except for information about the
5 13 results of an examination which is given to the person who
5 14 took the examination.

